

REMARKS

In the Office Action, the Examiner objects to claims 35 and 36 due to informalities and rejects claims 1-48 under 35 U.S.C. § 102(e) as anticipated by BROWN et al. (U.S. Patent Application Publication No. 2003/0112928). Applicants traverse the objection and rejection.¹

By way of the present amendment, Applicants cancel claims 12, 23, 36, and 48 without prejudice or disclaimer and amend claims 1, 3, 13, 18, 24-27, 35, 37, 46, and 47 to improve form. No new matter has been added by way of the present amendment. Claims 1-11, 13-22, 24-35, and 37-47 remain pending.

Pending claim 35 is objected to for reciting the term “fist” instead of “first.” Applicants amend claim 35 to correctly recite the term “first.” As such, withdrawal of the objection to claim 35 is respectfully requested.

Pending claims 1-11, 13-22, 24-35, and 37-47 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by BROWN et al. Applicants respectfully traverse this rejection.

A proper rejection under 35 U.S.C. § 102 requires that a reference teach every aspect of the claimed invention. Any feature not directly taught must be inherently present. See M.P.E.P. § 2131. BROWN et al. does not disclose or suggest the combination of features recited in Applicants’ claims 1-11, 13-22, 24-35, and 37-47.

For example, amended independent claim 1 recites a method for logging calls. The method includes receiving instructions that specify filter settings for logging

¹ As Applicants’ remarks with respect to the Examiner’s rejections are sufficient to overcome these rejections, Applicants’ silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine reference, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

outgoing calls, wherein the instructions include instructions that build an exclusion table indicating at least one outgoing call to exclude from a call log; obtaining outgoing call information associated with an outgoing call originating from a calling device and destined to a called device; determining whether or not to log the outgoing call information based on the filter settings; and storing the outgoing call information in the call log in response to a determination to log the outgoing call information. BROWN et al. does not disclose or suggest this combination of features.

For example, BROWN et al. does not disclose or suggest receiving instructions that specify filter settings for logging outgoing calls, wherein the instructions include instructions for building an exclusion table that indicates at least one outgoing call to exclude from a call log. A similar feature was previously presented in claim 12. The Examiner relies on paragraph 155 of BROWN et al. as allegedly disclosing this feature (Office Action, pg. 4). Applicants respectfully disagree with the Examiner's interpretation of BROWN et al.

At paragraphs 155, BROWN et al. discloses:

In the example, a logging preferences directory 70 includes logging preferences specified by business entities, individuals, and governments, however other parties not depicted may also specify logging preferences. Preferably, each entity may select preferences for logging call context and recording a call according to the call context. In the example, the preferences retrieved are those related to the context of the call. For example, business A has a preference to log calls with a business subject context where the VID includes Jane Smith. Also, business A has a preference to log calls with a context indicating an order placed with VIDs from employee list C, where Jane Smith is included in employee list C. Since the context of the call is not a business call, the context will not be logged for business A. However, preferences for Jane Smith request logging calls with a personal context. Here, there is a personal subject context, so the call is preferably logged for Jane Smith's logging account. A government entity has already requested logging the context of calls between Jon Doe and Johnny Serio. Since Johnny Serio is not a party to the call, the call context will not be logged. In particular, a government entity may receive a warrant to tap a phone for calls

between certain individuals. Here, preferably a context based warrant would entitle logging and recording calls according to context of the call.

This section of BROWN et al. discloses logging calls based on user specified preferences. This section of BROWN et al. discloses specifying which calls to include in a log, and does not specify which calls to exclude from the log. Therefore, this section of BROWN et al. does not disclose or suggest receiving instructions that specify filter settings for logging outgoing calls, wherein the instructions include instructions for building an exclusion table that indicates at least one outgoing call to exclude from a call log, as required by amended claim 1.

For at least the foregoing reason, Applicants submits that claim 1 is not anticipated by BROWN et al.

Claims 2-11 and 13-17 depend from claim 1. Therefore, claims 2-11 and 13-17 are not anticipated by BROWN et al. for at least the reasons given above with respect to claim 1.

Amended independent claims 18, 46, and 47 recite features similar to, yet possibly of different scope than, features recited above with respect to claim 1. Therefore, claims 18, 46, and 47 are not anticipated by BROWN et al. for at least reasons similar to the reasons given above with respect to claim 1.

Claims 19-22 and 24-26 depend from claim 18. Therefore, claims 19-22 and 24-26 are not anticipated by BROWN et al. for at least the reasons given above with respect to claim 18.

Amended independent claim 27 recites a call log system. The call log system includes a first network providing telephony services; a calling device input port, coupled to the first network, configured to interface a user with the first network; a second

network for facilitating data transfer; a service center coupled to the first network and the second network, the service center comprising: a first application function for generating a call log according to user-specified preferences, the call log including information associated with telephone calls originating from the calling device, wherein the first application function includes program code for building an exclusion table, the exclusion table indicating the user-specified preferences, and a storage function for storing the call log; and a user terminal input port, coupled to the second network and configured to interact with the server, for enabling the user to specify the preferences and access the call log. BROWN et al. does not disclose or suggest this combination of features.

For example, BROWN et al. does not disclose or suggest a first application function for generating a call log according to user-specified preferences, the call log including information associated with telephone calls originating from the calling device, wherein the first application function includes program code for building an exclusion table, the exclusion table indicating the user-specified preferences. A similar feature was previously presented in claim 36. The Examiner relies on paragraph 155 of BROWN et al. as allegedly disclosing this feature (Office Action, pg. 4). Applicants respectfully disagree.

Paragraph 155 of BROWN et al. has been reproduced above. This section of BROWN et al. discloses logging calls based on user specified preferences. More specifically, this section of BROWN et al. discloses specifying which calls to include in a log, and does not specify which calls to exclude from the log. Therefore, this section of BROWN et al. does not disclose or suggest a first application function for generating a call log according to user-specified preferences, the call log including information

associated with telephone calls originating from the calling device, wherein the first application function includes program code for building an exclusion table, the exclusion table indicating the user-specified preferences, as required by amended claim 27.

For at least the foregoing reason, Applicants submit that claim 27 is not anticipated by BROWN et al.

Claims 28-35 and 37-45 depend from claim 27. Therefore, claims 28-35 and 37-45 are not anticipated by BROWN et al. for at least the reasons given above with respect to claim 27.

In view of the foregoing amendments and remarks, Applicants respectfully request withdrawal of the outstanding rejections and the timely allowance of this application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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